

ATTACHMENT A
STATEMENT OF FACTS

*The United States and the Defendant, **ERIK JOHN WARNES**, stipulate and agree that if this case proceeded to trial, the United States would prove the facts set forth below beyond a reasonable doubt. They further stipulate and agree that these are not all of the facts that the United States would prove if this case proceeded to trial.*

On or about December 3, 2015, agents of the Federal Bureau of Investigation (FBI) executed a search warrant at the residence of the Defendant, **ERIK JOHN WARNES**, in Waldorf, Maryland. Three laptop computers and three external hard drives were seized from **WARNES'** bedroom, including: (1) an Iomega 1.0 TB external hard drive model 31758600 with serial number 97A9110947; (2) a Toshiba 3.0 TB external hard drive model DWC130 with serial number 34BDV7PGSU17; and (3) a Dell Inspiron 3520 computer with service tag CV7TBV1, containing Toshiba 500GB model MQ01ABD050 hard drive with serial number Z2OKS2KOS. Forensic analysis of the Iomega external hard drive, the Toshiba external hard drive, and the Dell Inspiron revealed more than 600 image and video files depicting child pornography. The files include, for example, depictions of incest; rape; anal, oral, digital, and object penetration; bondage/discipline, dominance/submission, sadism/masochism (BDSM) and humiliation; and nude modeling and miscellaneous body parts of suspected toddlers, pre-pubescent children and teenage minors. The files included child pornography images of pre-pubescent children who had not attained the age of twelve years.

Examples of the video files are described as follows:

(Ptch)2009 - T[] and dad anal doggystyle and cum unmasked - 1 plz ptaf.vmv – this video depicts a pre-teen female who is forced by a middle-aged male who has been identified as her father to have sexual intercourse. The female is also sodomized and forced to perform oral sex on the male. The male calls the pre-teen female a bitch, and ejaculates on her face. This video is from a known victim series. **WARNES** possessed additional videos and images of this same victim.

Baby J - action movie.mp4 – this video depicts a young female who appears to be approximately eight to ten years old. The female is raped orally, anally, and vaginally.

G[]chocolatekiss.avi – this video depicts a pre-teen female performing oral sex on an adult male who has put chocolate syrup on his penis.

PTHC-beauty-cumshot-3yo.avi – this video depicts a two- to three-year-old blond girl, laying on a changing table with her diaper next to her. A white male puts his penis between her legs and forces her to perform oral sex on him. The male performs oral sex on the girl, then masturbates to orgasm on her vaginal area.

Examples of the image files are described as follows:

Mar34017.jpg – this image depicts a pre-teen female, handcuffed, performing oral sex on an adult male. This image is from a known victim series. **WARNES** possess additional videos and images from this series, including an image of the pre-teen female, naked, with the words “slut,” “cut me,” and “hurt me,” written on her body.

1078684.jpg – this image depicts a seven- to eight-year-old boy in bondage, including leg and arm restraints, with his face blindfolded, and with a dildo being inserted into his rectal area. This image is from a known victim series.

WARNES downloaded the child pornography images and videos to his computer and hard drives using a means or facility of interstate commerce, that is, the internet, and knowingly possessed the images and videos. **WARNES** knew the sexually explicit nature of the images and videos on his on his computer and hard drives, and that the images and videos depicted actual minors engaged in sexually explicit conduct.

I have read this Statement of Facts, and have carefully reviewed it with my attorney. I understand it, and I voluntarily agree to it. I do not wish to change any part of it. I acknowledge that it is true and correct.

12-27-2017

Date

Erik John Warnes

Erik John Warnes

I am Erik John Warnes' attorney. I have carefully reviewed every part of this Statement of Facts with him. To my knowledge, his decision to sign it is an informed and voluntary one.

12-27-2017

Date

Seth R. Okin, Esq.